1	STATE OF IOWA
2	BOARD OF EDUCATIONAL EXAMINERS
3	Grimes State Office Building – 400 East 14th Street
4	Des Moines, Iowa 50319-0147
5	Minutes
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7	September 3, 2008 Telephonic Meeting
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9	The Board of Educational Examiners held a telephonic meeting on September 3,
10	2008 at 4:00 p.m. Board Chair, Judy Jeffrey, called the meeting to order. Members
11	attending were John Aboud, Brad Dirks, Judy Jeffrey, Thomas Paulsen, Greg
12	Robinson, Laura Stevens, Jeffrey Henderson, Bev Smith, Merle Johnson, Ying Ying
13	Chen and Tammy Dueher. Also in attendance were Dr. George Maurer, Executive
14	Director of the Board, Beth Myers, Attorney / Investigator and Julie Bussanmas,
15	Assistant Attorney General. Jean Seeland was unable to participate.
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17	Merle Johnson moved, with a second by Jeff Henderson, to approve the agenda.
18	MOTION CARRIED UNANIMOULY.
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20	Ying Ying Chen moved, with a second by Tammy Dueher, that the Board go into
21	closed session for the purposes of discussing whether to initiate licensee
22	disciplinary proceedings and discussing the decision to be rendered in a contested
23	case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). MOTION CARRIED
24	UNANIMOUSLY.
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26	Ying Ying Chen moved, with a second by Tammy Dueher, that in case number 08-
27	30 the Board find that, although one or more of the allegations in the complaint
28	may be substantiated by the witnesses interviewed in the course of the
29	investigation and the documents gathered in the course of the investigation, and
30	the allegations may constitute a technical violation of the board's statute or
31	administrative rules; the evidence before the board indicates that adequate steps
32	have been taken to remedy the violation and to ensure that incidents of a similar
33	nature do not occur in the future. Taking into account these circumstances, and

- the Board's mission to act upon those complaints which involve a threat to the
- 2 health and safety of students and the public, the Board will not pursue formal
- 3 disciplinary action in this matter.
- 4 Roll call vote: Aboud yes; Dirks yes; Jeffrey yes; Paulsen yes; Robinson –
- 5 yes; Stevens yes; Chen yes; Duehr yes; Henderson yes; and Johnson yes; .
- 6 MOTION CARRIED UNANIMOUSLY.

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- 8 Tammy Dueher moved, with a second by Ying Ying Chen, that in **case number 08**-
- 9 **32** the Board find that, although one or more of the allegations in the complaint
- may be substantiated by the witnesses interviewed in the course of the
- investigation and the documents gathered in the course of the investigation, and
- the allegations may constitute a technical violation of the board's statute or
- administrative rules; the evidence before the board indicates that the
- circumstances do not warrant imposition of a sanction by this board, and the
- 15 Board will not pursue formal disciplinary action in this matter.
- Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; and Stevens yes.
- 18 MOTION CARRIED UNANIMOUSLY.

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- 20 Ying Ying Chen moved, with a second by Tammy Dueher, that in case number 08-
- 21 **33** the Board find that, although one or more of the allegations in the complaint
- 22 may be substantiated by the witnesses interviewed in the course of the
- 23 investigation and the documents gathered in the course of the investigation, and
- the allegations may constitute a technical violation of the board's statute or
- 25 administrative rules; the evidence before the board indicates that the alleged
- 26 violation was an isolated incident and adequate steps have been taken to remedy
- 27 the violation and to ensure that incidents of a similar nature do not occur in the
- 28 future the Board will not pursue formal disciplinary action in this matter.
- 29 Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- 30 Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; and Stevens yes.
- 31 MOTION CARRIED UNANIMOUSLY.

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- 1 Tammy Dueher moved, with a second by Ying Ying Chen, that in case number 08-
- 2 **34** the Board find that, although one or more of the allegations in the complaint
- may be substantiated by the witnesses interviewed in the course of the
- 4 investigation and the allegations may constitute a technical violation of the board's
- 5 statute or administrative rules; the evidence before the board indicates that the
- 6 alleged violation was an isolated incident and adequate steps have been taken to
- 7 remedy the violation and to ensure that incidents of a similar nature do not occur
- 8 in the future the Board will not pursue formal disciplinary action in this matter.
- 9 Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; Stevens yes and
- 11 Smith yes. MOTION CARRIED UNANIMOUSLY.
- John Aboud moved, with a second by Tom Paulsen, to table cases 08-42, 08-49,
- 14 08-54, 08-57, 08-58, 08-77, and 08-82.

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- Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; Stevens yes and
- 17 Smith yes. **MOTION CARRIED UNANIMOUSLY.**
- Tammy Dueher moved, with a second by Ying Ying Chen, that in **case number 08**-
- 20 **93**, the Board find probable cause to establish a violation of the following
- 21 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(e)(4),
- 22 and order this case set for hearing.
- 23 Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; Stevens yes and
- 25 Smith yes. **MOTION CARRIED UNANIMOUSLY.**
- 27 Ying Ying Chen moved, with a second by Tammy Dueher, that in **case number 08**-
- 28 **10**, the Board accepts the Respondent's waiver of hearing and voluntary surrender
- 29 and that the Board issue an order permanently revoking the Respondent's license
- with no possibility of reinstatement.
- Roll call vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes;
- Johnson yes; Paulsen yes; Robinson yes; Henderson- yes; Stevens yes and
- 33 Smith yes. MOTION CARRIED UNANIMOUSLY.

- 1 Ying Ying Chen moved, with a second by Tammy Dueher, **that case 08-11**, the
- 2 Board extend the 180-day deadline for issuance of the final decision, due to the
- 3 need for additional time to conduct a hearing, prepare a proposed decision, and
- 4 review the proposed decision by the Board.
- 5 Vote: Aboud yes; Chen yes; Dirks yes; Duehr yes; Jeffrey yes; Johnson –
- 6 yes; Paulsen yes; Robinson yes; Henderson- recuse; Stevens yes and Smith -
- yes. **MOTION CARRIED.**

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11 There being no further business, Judy Jeffrey adjourned the meeting.